

“Date”

Lt. John Stelly
Louisiana State Police - Troop B
2101 I-10 Service Road
Kenner, LA 70065

RE: Ethics Board Docket No. 2021-027

Dear Lt. Stelly:

The Louisiana Board of Ethics, at its February 5, 2021 meeting, considered your request for an advisory opinion as to whether you may accept employment with Northwestern University Center for Public Safety teaching crash investigation classes to personnel of various agencies including law enforcement agencies inside and outside the State of Louisiana.

FACTS PROVIDED

You provided that you are currently employed by the Louisiana State Police as the Executive Officer of Troop B and have been in said capacity since 2013. Prior to that you served as a Trooper since 1995. You stated that your duties include: processing and maintaining evidence seized by Troop B troopers; facilitating electronic transmission or physical transportation of evidentiary items to various courts; maintaining inventory of all equipment issued to Troop B troopers; Overseeing Troop B's LACE program; overseeing Troop B's escort and traffic detail fee collection, processing, and banking; gathering administrative and logistical data to support the mission of Troop B; coordinating repairs to all Troop B facilities and equipment; supervising the purchase of new equipment for Troop B personnel or the compound itself; coordinating all supply logistics during emergencies; and supervising three administrative secretaries, two mechanics, two trustees, and two troopers.

You further provided that you would like to become employed by Northwestern University Center for Public Safety (“NUCPS”), a division of Northwestern University, an agency of the State of Illinois. Your duties for NUCPS would include teaching crash investigation classes to personnel of various agencies inside and outside the State of Louisiana, including the Louisiana Department of Public Safety. You stated that the Department of Public Safety would pay for the classes taught to personnel employed by the Louisiana State Police. You stated that you would be paid by NUCPS for each class taught. You stated that your duties with the Louisiana State Police do not include teaching nor would you utilize material from your work but use only the work product of NUCPS. Finally, you stated that you would be on leave from the State Police while you work for NUCPS.

LAW

La. R.S. 42:1111C(1)(a) prohibits a public servant from receiving any thing of economic value for any service, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated.

La. R.S. 42:1111C(1)(b) prohibits a public servant from receiving any thing of economic value for any service, the subject matter of which draws substantially upon official data or ideas which have not become part of the body of public information.

Lt. John Stelly
"Date"
Page -2-

La. R.S. 42:1111C(2)(d) prohibits a public servant and a legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, from receiving any thing of economic value for services rendered from a person who has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency.

La. R.S. 42:1102(16) defines "person" to mean an individual or legal entity other than a governmental entity, or an agency thereof.

CONCLUSION

The Board concluded and instructed me to inform you, the Code of Governmental Ethics (Ethics Code) would not prohibit you from becoming employed by NUCPS while you are employed with the Louisiana State Police. Since your job duties as the Executive Officer of Troop B do not include teaching nor would you draw substantially upon official data or ideas from your agency, there would be no violation under La. R.S. 42:1111C(1)(a) or (b). Further, because NUCPS is an agency of a governmental entity, it is not considered a "person" under the Ethics Code and would therefore not violate La. R.S. 42:1111C(2)(d) under the Ethics Code.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Gregory L. Thibodeaux
For the Board

This is a draft opinion and it is NOT to be used for any purpose other than discussion purposes only. No party may rely on the facts or conclusions. The analysis and conclusions are subject to change or revision at the meeting of the Board of Ethics at which this draft is considered.